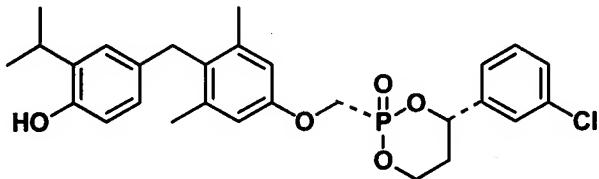


REMARKS

Claims 1, 2, 83, 100, 117, 139, 140, 227-235, and 239-241 were previously pending. By way of the present amendment, Claims 1, 2, 117, 139, 140, 227-231, 233-235, and 239-240 have been canceled, Claims 80, 100, 232, and 241 have been amended and Claims 242-255 have been added. As such, Claims 80, 100, 232, and 241-255 are pending.

In the Restriction Requirement dated April 9, 2009 (“Restriction Requirement”), the Examiner required restriction to one of twelve inventions. The Examiner also required election of a single disclosed species for search purposes.

Applicants elect, with traverse, the subject matter of Group IX (claim 232, drawn to compounds of formula VIII). As amended, Claims 232, 241, and 242-255 read on the elected group. Method Claims 80 and 100 also read on the elected group. Applicants further elect the species compound cis-13-1, shown on pg 364 of the published PCT application and now recited in newly presented claim 255, for search purposes:



Claims 232, 241, and 242-255 at least partially read on the elected species.

Applicants also expressly reserve the right to rejoin non-elected species upon allowance of claims to the presently elected species, as well as any non-elected methods as appropriate.

Under unity of invention, the basic principle is that an application should relate to only one invention or, if there is more than one invention, that applicant would have a right to include in a single application only those inventions which are so linked as to form a single general inventive concept. A group of inventions is considered linked to form a single general inventive concept where there is a technical relationship among the inventions that involves at least one common or corresponding special technical feature. The expression special technical features is defined as meaning those technical features that define the contribution which each claimed invention, considered as a whole, makes over the prior art.

With regard to the restriction between compound/composition and method claims, Applicants submit that the compounds and compositions of Claims 232, 241, and 242-255, and

the methods of Claims 80 and 100 are linked by a single general inventive concept in that they all share the special technical feature of the compounds of Formula VIII in their practice. It is these compounds of Formula VIII that link the claims and define the contribution, when considered as a whole, over the prior art. As such, at a minimum, Applicants submit that the compounds, compositions and methods of Claims 80, 100, 232, 241, and 242-255 should all be examined together under the proper application of unity of invention.

CONCLUSION

In view of the above, each of the presently pending claims is believed to be in condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue. The Examiner is encouraged to contact the undersigned at (303) 863-2303 should any additional information be necessary for allowance.

Respectfully submitted,

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